

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL JAMES BRADY,

Debtor.

NOBLE CREDIT UNION,

Garnishee.

Case No. 1:24-MC-00079-JLT-SKO

**[PROPOSED] FINAL ORDER OF
CONTINUING GARNISHMENT**

Criminal Case No. 1:00-CR-05345-AWI

On June 5, 2024, the United States filed an Application for Writ of Continuing Garnishment against Michael James Brady’s (“Debtor”) interest in property. ECF 1. The Clerk of the Court issued the Writ and Clerk’s Notice to Debtor. ECFs 2 and 3. The United States served the Writ and related documents on Noble Credit Union (“Garnishee”) and Debtor. ECFs 4 and 5.

On July 1 and 23, 2024, Garnishee served its Acknowledgments of Service and Answer of Garnishee on Debtor and the United States (“Answer”). ECFs 7 and 8. In its answers, Garnishee stated that it has possession of a bank account with an approximate total value of \$992.14 and \$1,534.55. *Id.* Debtor did not file a claim of exemption to the proposed garnishment or request a hearing, did not object to Garnishee’s Answer, and did not otherwise object to the United States’ garnishment action.

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 302, on January 14, 2025, the Magistrate Judge issued findings and recommendations that recommended that the United States' request for final order of garnishment be granted and ordered that any objections were due within 14 days after service. ECF 11. The United States served the findings and recommendations on Debtor on January 17, 2025. ECF 14. Debtor did not object and the time to do so has passed.

In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the case. Having carefully reviewed the file, the Court concludes that the Magistrate Judge's findings and recommendations are supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED THAT:

1. The Findings and Recommendations for Final Order of Continuing Garnishment (ECF 11) are ADOPTED IN FULL;

2. Noble Credit Union is directed to pay the Clerk of the United States District Court all of the funds held by Garnishee within fifteen (15) days of the filing of this Final Order of Garnishment. Payment shall be made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court" and delivered to:

Office of the Clerk
501 I St., Rm. 4-200
Sacramento, CA 95814

The criminal docket number (1:00-CR-05345-AWI) shall be stated on the payment instrument;

3. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary; and

4. The garnishment shall terminate when the payment is deposited with the Clerk of the Court.

IT IS SO ORDERED.

Dated: **February 12, 2025**


UNITED STATES DISTRICT JUDGE